

REMARKS

Claims 1, 2, 4-9, 11, 12, 14-19, and 21-23 are all the claims pending in the application.

I. Summary of the Office Action

Claims 1, 2, 4-9, 11, 12, 14-19 and 21-23 are rejected under 35 U.S.C. § 103.

II. Rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 6-9, 11, 12, 14, 15, 17-19, and 21-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lennon et al. (US 2002/0107973), hereinafter “Lennon” in view of alleged Applicant’s admitted prior art (APA). Applicant respectfully traverses these grounds of rejections at least in view of the following exemplary comments.

As a preliminary matter, Applicant respectfully submits that the APA section simply describes what is known to the Applicant at the time of the invention. That is, the APA may be internal knowledge of the application and not prior art with respect to the above-identified application. In other words, Applicant has not made any admissions as to the state of the art at the time of the invention.

Of these rejected claims, claims 1, 4, 11, 14 and 15 are independent. For example, claim 1 recites, *inter alia*, “a search module for locating a Uniform Resource Locator (URL) using a unique identifier, wherein the unique identifier is pre-assigned to each program and is in a format of the received external digital content metadata and without further conversion into the metadata peculiar to the network, identifies said URL, said URL accessing a program in the received external digital content metadata.” The Examiner acknowledges that Lennon does not disclose or suggest the above-

noted unique features of claim 1. The Examiner, however, alleges that the APA cures these deficiencies (*see* page 3 of the Office Action). Applicant respectfully disagrees.

Lennon discusses that the metadata from the legacy database 210 is *dynamically generated* by the metadata server 212 *i.e.*, converted to XML format (*see e.g.*, ¶¶ 74, 75, and 163). That is, the use of a legacy database in Lennon requires the metadata server 212 to dynamically generate descriptions of legacy content (paragraph 73). Lennon describes “the descriptions of multimedia items, that the metadata server 212 generates, contain links to the corresponding multimedia items stored in a content collection 214” (paragraph 73). Applicants respectfully submit that the dynamic generation of descriptions by the metadata server 212 in Lennon cannot be said to be unique identifiers that is pre-assigned to each program and is in a format of the received external digital content metadata and without further conversion into the metadata peculiar to the network, identifies said URL, as recited in claim 1.

The APA does not cure this deficiency. The APA describes TV-Anytime metadata 200 that is expressed in an XML format. The metadata of TV-Anytime are delivered to the devices 20 and 30 through broadcast signals or via the Internet. The devices process and use the received metadata to generate an electronic program guide (EPG). To access the program that the consumer selects while viewing the EPG, the devices find out the location of a selected program through a method known as “location resolution” using a unique identifier, which is called a Content Reference Identifier (CRID) which is assigned to each selected program, and obtains the broadcast content from the location information so that the consumer can watch or record the selected program (¶¶ 18 and 20).

The APA, however, further describes that since UPnP devices capable of accessing only UPnP CDS cannot use the metadata provided by TV-Anytime, the needs of a consumer who wants to access all the metadata cannot be satisfied. Further, if the devices needed for content metadata should support UPnP CDS and TV-Anytime in order to solve this problem, a heavy burden will be imposed on the devices. In conventional techniques, devices are divided into a device supporting TV-Anytime and a device supporting UPnP CDS. Additionally, there exist devices that support both TV-Anytime and UPnP CDS but provide the consumer with irrelevant information (§§ 21 ad 22).

In other words, the APA only describes using the CRID within the TV-Anytime metadata. That is, the APA clearly does not disclose or suggest an identifier in a format of external digital content metadata *i.e.*, the identifier being not in the format peculiar to the network. In other words, since the APA only describes using the CRID within the TV-Anytime, which is metadata peculiar to the network within which it is being used, the APA clearly does not disclose the identifier in a format of external digital content metadata. In short, the APA clearly does not disclose or suggest using the CRID in the format of TV-Anytime by a device that is incompatible with this format *i.e.*, by the device that only supports UPnP and thus, needs to convert any TV-Anytime metadata.

Furthermore, the proposed combination cannot and does not describe the unique identifier of claim 1. Lennon describes converting data into an XML format (alleged format peculiar to the network). The APA describes that the TV-Anytime metadata 200 (including the CRID) is already expressed in the XML format. In other words, it is obvious that Lennon would not convert the CRID because it is already in the XML format *i.e.*, in the format allegedly corresponding to the format peculiar to the network. That is, the proposed combination would yield that the CRID is provided in

a format peculiar to the network of Lennon and as such requires no conversions. In short, the proposed combination clearly would not yield an identifier that is in a format of external digital content metadata. Lennon in view of the APA does not disclose or suggest the UPnP device that reads metadata in the UPnP format only but uses an identifier in the TV-Anytime format without any conversion.

Therefore, “a search module for locating a Uniform Resource Locator (URL) using a unique identifier, wherein the unique identifier is pre-assigned to each program and is in a format of the received external digital content metadata and without further conversion into the metadata peculiar to the network, identifies said URL, said URL accessing a program in the received external digital content metadata,” as set forth in claim 1 is not described by the combined descriptions of Lennon and the APA, which lack an identifier in a format of external digital content identifier that is used without conversion to the format peculiar to the network. For at least these exemplary reasons, claim 1 is patentable over Lennon in view of the APA. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1.

As the cited reference does not teach or suggest all of the recited features of the claim, claim 1 is patentable over the cited references. Independent claims 2, 4, 11, 14, and 15 recite similar features to those discussed above with respect to claim 1 and are patentable for analogous reasons. Claims 6 and 21-23 are patentable at least by virtue of their dependency and for additional features set forth therein.

For example, independent claim 2 recites: “a mapping module for converting received external digital content metadata into digital content metadata peculiar to a network; and a search

module for locating a Uniform Resource Locator (URL) using a unique identifier, pre-assigned assigned to each program, in the received external digital content metadata, said URL accessing a program in the received external digital content metadata, and wherein the search module locates the URL after the received external digital content metadata is converted by the mapping module, wherein the digital content metadata received external to the network is TV-Anytime metadata, the digital content metadata peculiar to the network is Universal Plug and Play (UPnP) Content Directory service (CDS) metadata, and the unique identifier is a Content Reference Identifier (CRID).” The Examiner fails to substantiate this rejection with actual teachings in the prior art. Instead, the Examiner alleges that it would be obvious to convert between the two standards since these standards are popular so as to accommodate more users (*see* page 4 of the Office Action).

The Examiner’s position amounts to a mere speculation disregarding the technical skill and expertise that is required for such conversions. Applicant respectfully submits that if it is obvious to convert between these two standards, it should not be difficult for the Examiner to substantiate this position with an actual reference. Since lack of references already demonstrates the weakness of the Examiner’s position, it is clear that claim 2 is patentable for at least these additional exemplary reasons. As discussed during the Interview, claim 2 contains allowable subject matter since the Examiner could not find any new references in the updated search.

In addition, dependent claim 23 recites: “the unique identifier located in the received external digital content metadata binds information of the received external digital content metadata, wherein the mapping module uses the information bound by the unique identifier for converting received external digital content metadata into digital content metadata peculiar to a network, and wherein

additional unconverted metadata from the received external digital content metadata is placed in a <desc> section, which is a section for metadata that is not defined in a class of the digital content metadata peculiar to the network.”

The Examiner fails to address how the prior art discloses using the information bound by the unique identifier for the conversion. Applicant respectfully submits that Lennon in view of the APA does not and cannot describe these features of claim 23. The CRID (alleged unique identifier) of the APA is not used for any conversions but only used as the TV-Anytime metadata.

Also, instead of relying on the actual disclosure of the prior art to show the <desc> section, the Examiner simply alleges that logically grouping similar data is known (*see* page 6 of the Office Action). Applicant respectfully disagrees. Not only is the Examiner’s position not rooted in the prior art of record but it also impermissibly generalizes and paraphrases the actual features of claim 23. Applicant respectfully submits that the prior art of record clearly does not disclose or suggest creating a new structure for a metadata in a format peculiar to the network that will have a special section for unconverted data i.e., for data in a format unreadable by the device (external content).

For at least these additional exemplary reasons, claim 23 is patentable over Lennon in view of the APA.

Claims 5 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lennon and Applicant’s admitted prior art (AAPA), and further in view of Sie et al. (US 2002/0199188), hereinafter “Sie”. Applicant respectfully traverses these grounds of rejections at least in view of the following exemplary comments.

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 10/824,435

Attorney Docket No.: Q80481


Applicant submits that the Sie, alone or in combination, fails to cure the above deficiencies of Lennon in view of the APA, and accordingly, the claims are patentable over the references for at least this reason.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/  /

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CUSTOMER NUMBER

Date: **September 16, 2010**